

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

QUINCY VAUGHN,)
)
 Plaintiff,)
)
 v.) No. 1:22-CV-157 SRW
)
 DR. JOHN DOE CHADA, et al.,)
)
 Defendants.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on plaintiff Quincy Vaughn's motion for waiver of the filing fee in this action. [ECF No. 7].

Plaintiff, a prisoner, previously submitted a motion to proceed in forma pauperis along with a copy of his complaint. [ECF Nos. 1 and 2]. Pursuant to *Henderson v. Norris*, 129 F.3d 481, 484 (8th Cir. 1997), on March 15, 2023, the Court granted plaintiff leave to proceed in forma pauperis and assessed an initial partial filing fee of \$1.00. [ECF No.4]. On that same date, plaintiff's complaint was dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). Plaintiff now requests waiver of the \$350 filing fee. He asserts that because he did not provide the Court a certified account statement, he does not believe he should be charged with the full filing fee. Plaintiff additionally claims that he is indigent and cannot afford to pay the full \$350.00 filing fee. Last, plaintiff claims that because he did not file anything in his case between the time he filed his complaint and the time it was dismissed, he should not be charged.¹

¹Plaintiff did not file a voluntary dismissal of his action. Rather, as noted above, the case was dismissed pursuant to a review under 28 U.S.C. § 1915.

Title 28 U.S.C. § 1915(b)(1) states, “if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner *shall* be required to pay the full amount of the filing fee.” (emphasis added). Thus, payment of the full amount of the filing fee is mandatory in this case.

Furthermore, plaintiff has not demonstrated that he has no funds and cannot pay the initial partial filing fee. In other words, he has not submitted an updated copy of his prison account showing he has no funds available in his account. As a result, the motion will be denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for waiver of the filing fee in this action [ECF No. 7] is **DENIED**.

Dated this 18th day of April, 2023.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE